

Whereas Margaret Chase Smith was a leader, a Nation's conscience, a visionary, and a woman of endless firsts;

Whereas the achievements of Margaret Chase Smith are an inspiration to millions of young girls and women, showing that through the use of one's talents, abilities, and energies that opportunities for women do exist and that the door to elected office can be open to all women; and

Whereas Margaret Chase Smith served with pride and humility, and her epitaph aptly reads, "She served people.": Now, therefore, be it

Resolved, That it is the sense of the Senate that if a new \$1 coin is minted, the Secretary of the Treasury should be authorized to mint and circulate \$1 coins bearing a likeness of Margaret Chase Smith.

SENATE RESOLUTION 151—AMENDING THE STANDING RULES OF THE SENATE

Mr. WARNER (for himself and Mr. FORD) submitted the following resolution; which was considered and agreed to.

S. RES. 151

Resolved,

SECTION 1. AMENDMENT TO THE STANDING RULES OF THE SENATE.

Paragraph 1(n)(2) of rule XXV of the Standing Rules of the Senate is amended—

(1) in division (A), by striking "and" at the end;

(2) in division (B), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(C) develop, implement, and update as necessary a strategic planning process and a strategic plan for the functional and technical infrastructure support of the Senate and provide oversight over plans developed by Senate officers and others in accordance with the strategic planning process."

SEC. 2. COOPERATION BY OFFICES OF THE SENATE.

(a) SECRETARY OF THE SENATE.—The Secretary of the Senate shall assist the efforts of the Committee on Rules and Administration with respect to the development and implementation of a strategic plan for the functional and technical infrastructure support of the Senate. The Secretary shall prepare for approval by the Committee implementation plans, including proposed budgets, for the areas of infrastructure support for which the Secretary is responsible.

(b) SERGEANT AT ARMS.—The Sergeant at Arms shall assist the efforts of the Committee on Rules and Administration with respect to the development and implementation of a strategic plan for the functional and technical infrastructure support of the Senate. The Sergeant at Arms shall prepare for approval by the Committee implementation plans, including proposed budgets, for the areas of infrastructure support for which the Sergeant at Arms is responsible.

SENATE RESOLUTION 152—CONCERNING THE SENATE LEGAL COUNSEL

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to.

S. RES. 152

Whereas, in the cases of *City of New York, et al. v. William Clinton, et al.*, Civ. No. 97-2393, *National Treasury Employees Union, et al. v. United States, et al.*, Civ. No. 97-2399,

and *Snake River Potato Growers, Inc., et al. v. Robert Rubin*, Civ. No. 97-2463, all pending in the United States District Court for the District of Columbia, the constitutionality of the Line Veto Act, Pub. L. No. 104-130, 110 Stat. 1200 (1996), has been placed in issue;

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(c), 288e(a), and 288(a), the Senate may direct its counsel to appear as amicus curiae in the name of the Senate in any legal action in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to appear as amicus curiae on behalf of the Senate in the cases of *City of New York, et al. v. William Clinton, et al.*; *National Treasury Employees Union, et al. v. United States, et al.*; and *Snake River Potato Growers, Inc., et al. v. Robert Rubin*, to defend the constitutionality of the Line Item Veto Act.

SEC. 2. That while the Senate is adjourned the Senate Legal Counsel is authorized to appear as amicus curiae on behalf of the Senate in other cases in which the constitutionality of the Line Item Veto Act is placed in issue: *Provided*, That the Joint Leadership Group authorizes the Senate Legal Counsel to appear as amicus curiae on behalf of the Senate in such other cases.

SENATE RESOLUTION 153—CONCERNING THE SENATE LEGAL COUNSEL

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to.

S. RES. 153

Whereas, in the case of *Sherry Yvonne Moore v. Capitol Guide Board*, Case No. 1:97CV00823, pending in the United States District Court for the District of Columbia, a subpoena has been issued for the production of documents of the Sergeant-at-Arms and Doorkeeper of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members, officers, and employees of the Senate with respect to any subpoena, order, or request for testimony or document production relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That the Sergeant-at-Arms and Doorkeeper of the Senate is authorized to produce documents relevant to the case of *Sherry Yvonne Moore v. Capitol Guide Board*, except where a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent the Sergeant-at-Arms and Doorkeeper of the Senate in connection with the production of documents in this case.

SENATE RESOLUTION 154—CONCERNING THE SENATE LEGAL COUNSEL

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to.

S. RES. 154

Whereas, in the case of *Magee, et al. v. Hatch, et al.*, No. 97-CV02203, pending in the United States District Court for the District of Columbia, the plaintiffs have named Senator Orrin Hatch as a defendant;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1) (1994), the Senate may direct its counsel to defend its Members in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Hatch in the case of *Magee, et al. v. Hatch, et al.*

AMENDMENTS SUBMITTED

THE ADAK ISLAND NAVAL BASE REUSE FACILITATION ACT OF 1997

MURKOWSKI AMENDMENT NO. 1618

(Ordered referred to the Committee on Energy and Natural Resources.)

Mr. MURKOWSKI submitted an amendment intended to be proposed by him to the bill (S. 1488) to ratify an agreement between the Aleut Corporation and the United States of America to exchange land rights received under the Alaska Native Claims Settlement Act for certain land interests on Adak Island, and for other purposes; as follows:

At the end of the bill insert the following new section:

"SEC. 5. GENERAL.—Notwithstanding any other provision of law, and for the purposes of the transfer of property authorized by this Act, personal property that remains on Adak Island is deemed related to the real property and shall be conveyed with real property. Any property, including, but not limited to, appurtenances and improvements, received pursuant to this Act shall, for purposes of Section 21(d) of the Alaska Native Claims Settlement Act, as amended, and Section 907(d) of the Alaska National Interest Lands and Conservation Act, as amended, be treated as not developed until such property is actually occupied, leased, or sold by TAC."

Mr. MURKOWSKI. Mr. President, I rise today to offer an amendment to legislation pending before the Energy and Natural Resources Committee which will facilitate and promote the successful commercial reuse of the Naval Air Facility being closed on Adak Island, Alaska. The underlying legislation will ratify an agreement between the Aleut Corporation in Alaska, the Department of the Interior and the Department of the Navy concerning the reuse of lands occupied by the Navy.

When the Navy's lease expires in October of next year the lands and facilities are to be relinquished back to the Department of the Interior for inclusion into the Alaska Maritime National Wildlife Refuge. The legislation

introduced yesterday will facilitate the transfer of that land to Aleut Corporation in exchange for other ANCSA land selections made by the Aleuts. The amendment I offer today will ensure that the private property on Adak Island is transferred to the Aleuts as well as the land and interests in that land. Without this amendment, Mr. President, the facilities constructed on Adak Island by the Navy cannot be placed into productive civilian use. If we are to help the Aleut Corporation establish a community on Adak the ability to use these facilities is critical.

I look forward to moving the underlying legislation and this amendment through the Energy and Natural Resources Committee early next year.

THE RECIPROCAL TRADE AGREEMENT ACT OF 1997

FEINSTEIN AMENDMENTS NOS. 1619-1620

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted two amendments intended to be proposed by her to the bill (S. 1269) to establish objectives for negotiating and procedures for implementing certain trade agreements; as follows:

AMENDMENT NO. 1619

On page 26, beginning on line 7, strike all through line 13, and insert the following:

"(B) if changes in existing laws or new statutory authority is required to implement such trade agreement or agreements, provisions, necessary or appropriate to implement such trade agreement or agreements, either repealing or amending existing laws or providing new statutory authority; and".

AMENDMENT NO. 1620

On page 8, beginning on line 6, strike all through page 10, line 2, and insert the following:

(5) RECIPROCAL TRADE IN AGRICULTURE.—The principal trade negotiating objective of the United States with respect to agriculture is to obtain competitive opportunities for United States exports in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in bulk and value-added commodities by—

(A) reducing or eliminating, by a date certain, tariffs or other charges that decrease market opportunities for United States exports—

(i) giving priority to those products that are subject to significantly higher tariffs or subsidy regimes of major producing countries; and

(ii) providing reasonable adjustment periods for United States import-sensitive products, in close consultation with the Congress on such products before initiating tariff reduction negotiations;

(B) reducing or eliminating subsidies that decrease market opportunities for United States exports or unfairly distort agriculture markets to the detriment of the United States;

(C) developing, strengthening, and clarifying rules and effective dispute settlement mechanisms to eliminate practices that unfairly decrease United States market access

opportunities or distort agricultural markets to the detriment of the United States, particularly with respect to import-sensitive products, including—

(i) unfair or trade-distorting activities of state trading enterprises and other administrative mechanisms, with emphasis on requiring price transparency in the operation of state trading enterprises and such other mechanisms;

(ii) unjustified trade restrictions or commercial requirements affecting new technologies, including biotechnology;

(iii) unjustified sanitary or phytosanitary restrictions, including those not based on scientific principles in contravention of the Uruguay Round Agreements;

(iv) other unjustified technical barriers to trade; and

(v) restrictive rules in the administration of tariff rate quotas;

(D) improving import relief mechanisms to recognize the unique characteristics of perishable agriculture;

(E) taking into account whether a party to the negotiations has failed to adhere to the provisions of already existing trade agreements with the United States or has circumvented obligations under those agreements;

(F) taking into account whether a product is subject to market distortions by reason of a failure of a major producing country to adhere to the provisions of already existing trade agreements with the United States or by the circumvention by that country of its obligations under those agreements; and

(G) otherwise ensuring that countries that accede to the World Trade Organization have made meaningful market liberalization commitments in agriculture.

On page 34, between lines 5 and 6, insert the following:

(e) NEGOTIATIONS REGARDING AGRICULTURE.—Before initiating negotiations the subject matter of which is directly related to the subject matter under section 2(b)(5)(A) with any country, the President shall assess whether United States tariffs on agriculture products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country. In addition, the President shall consider whether the tariff levels bound and applied throughout the world with respect to imports from the United States are higher than United States tariffs and whether the negotiation provides an opportunity to address any such disparity. The President shall consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met.

THE DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

STEVENS (AND BYRD) AMENDMENT NO. 1621

Mr. STEVENS (for himself and Mr. BYRD) proposed an amendment to the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 1998, and for other purposes, namely:

DIVISION A—DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 1998, and for other purposes, to be effective as if it had been enacted into law as the regular appropriations Act, namely:

TITLE I—FISCAL YEAR 1998 APPROPRIATIONS FEDERAL FUNDS

FEDERAL PAYMENT FOR MANAGEMENT REFORM

For payment to the District of Columbia, as authorized by section 11103(c) of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33, \$8,000,000, to remain available until September 30, 1999, which shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority and shall be disbursed from such escrow account pursuant to the instructions of the Authority only for a program of management reform pursuant to sections 11101-11106 of the District of Columbia Management Reform Act of 1997, Public Law 105-33.

FEDERAL CONTRIBUTION TO THE OPERATIONS OF THE NATION'S CAPITAL

For a Federal contribution to the District of Columbia toward the costs of the operation of the government of the District of Columbia, \$190,000,000, which shall be deposited into an escrow account held by the District of Columbia Financial Responsibility and Management Assistance Authority, which shall allocate the funds to the Mayor at such intervals and in accordance with such terms and conditions as it considers appropriate to implement the financial plan for the year: Provided, That these funds may be used by the District of Columbia for the costs of advances to the District government as authorized by section 11402 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33: Provided further, That not less than \$30,000,000 shall be used by the District of Columbia to repay the accumulated general fund deficit.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For payment to the District of Columbia Corrections Trustee, \$169,000,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE FOR CORRECTIONAL FACILITIES, CONSTRUCTION AND REPAIR

For payment to the District of Columbia Corrections Trustee for Correctional Facilities, \$302,000,000, to remain available until expended, of which not less than \$294,900,000 is available for transfer to the Federal Prison System, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

CRIMINAL JUSTICE SYSTEM (INCLUDING TRANSFER OF FUNDS)

Notwithstanding any other provision of law, \$108,000,000 for payment to the Joint Committee